

# C A M P A I G N F O R ACCOUNTABILITY

May 18, 2018

Oklahoma State Department of Health  
Attention: Public Records Requests  
1000 NE 10<sup>th</sup> Street  
Oklahoma City, OK 73117

Re: Oklahoma Open Records Act Request

To Whom It May Concern:

Campaign for Accountability (“CfA”) makes this request for records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes and photographs, format, medium or physical characteristics, pursuant to the Oklahoma Open Records Act, 51 O.S. 51, § 24A.1 et seq. (“ORA”).

Specifically, CfA requests from the Oklahoma State Department of Health (the “Department”) the following:

1. Copies of all solicitations, proposals, memoranda, contracts, agreements, invoices, or other documents pertaining to any agreement between the Department and any counterparty that has requested and/or received funds through either (a) the Department’s “Alternatives to Abortion” program<sup>1</sup> (the “AAP”), or (b) under the “Choosing Childbirth Act” (the “CCA”), Oklahoma House Bill 1703<sup>2</sup>;
2. All communications, meeting notices, meeting agendas, informational materials, talking points, or other materials received by the Department from, sent by the Department to, or exchanged between the Department and representatives of any aforementioned third party that has requested and/or received funds through either (a) the “Alternatives to Abortion” program, or (b) under the “Choosing Childbirth Act,”; and
3. All communications, meeting notices, meeting agendas, informational materials, talking points, or other materials received by the Department from, sent by the Department to, or exchanged between the Department and representatives of any third party regarding Oklahoma House Bill 3676<sup>3</sup>, currently untitled and pending in the Oklahoma Senate Appropriations Committee.

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<sup>1</sup> The Department’s website links to the legislation which created the program, codified at 63 O.S. § 1-740.11. See [https://www.ok.gov/health/Community\\_&\\_Family\\_Health/Family\\_Support\\_and\\_Prevention\\_Service/Alternatives\\_to\\_Abortion/index.html](https://www.ok.gov/health/Community_&_Family_Health/Family_Support_and_Prevention_Service/Alternatives_to_Abortion/index.html).

<sup>2</sup> 63 O.S. §§ 1-740.15 through 1-740.19, available at <http://www.oklegislature.gov/BillInfo.aspx?Bill=hb1703&Session=1700>.

<sup>3</sup> See <https://legiscan.com/OK/bill/HB3676/2018>.

This request is for records from January 1, 2015 to the present.

By way of background, the AAP has been in existence since 2006, and requires the Department to “establish and implement a program to facilitate funding to nongovernmental entities that provide alternatives-to-abortion services.”<sup>4</sup> The CCA has been in effect since November 2017,<sup>5</sup> and requires the Department to provide grants to organizations dedicated to “providing information on, referral to, and assistance in securing the services of relevant existing programs or agencies that assist women in Oklahoma to carry their children to term, and/or providing services that assist women to carry their children to term...”<sup>6</sup> as well as “[p]roviding women in Oklahoma, in person and through community outreach, information and/or services that encourage and assist them to carry their children to term.”<sup>7</sup> The Oklahoma House recently passed House Bill 3676 on March 19, 2018.<sup>8</sup> If also passed by the Oklahoma Senate, the bill will set aside federal block grant funds to fund the CCA,<sup>9</sup> which was passed and signed into law without a funding mechanism.

The ORA requires public bodies to provide “prompt, reasonable access to its records.” 51 O.S. § 24A.5.6. If the requested records are not to be produced within a timely manner, CfA requests that you provide a date certain when the documents will be produced and/or a statement detailing the specific exemptions you are relying up on in support of your decision not to produce the public records.

The Oklahoma Open Records Act prohibits the charging of a search fee when the release of the “documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.” 51 O.S. § 24A.5.4. CfA is a non-profit watchdog group and the records requested relate to the issue of whether public servants have honestly, faithfully and competently performed their duties with regards to management of public monies and administration of the public programs described above. Therefore, CfA’s request falls within 51 O.S. § 23A.5.4 and a fee waiver is appropriate.

Should a fee waiver not be available, CfA agrees to pay up to \$100 for copies of the requested records. If copying fees are expected to exceed this amount, please contact me.

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<sup>4</sup> 63 O.S. § 1-740.11.

<sup>5</sup> 63 O.S. § 1-740.15.

<sup>6</sup> 63 O.S. § 1-740.17.

<sup>7</sup> *Id.*

<sup>8</sup> <https://legiscan.com/OK/bill/HB3676/2018>.

<sup>9</sup> *Id.*

If you have any questions about this request, please contact me at 202-780-5750. If possible, please email the records to me at [dstevens@campaignforaccountability.org](mailto:dstevens@campaignforaccountability.org). If the records are mailed, please send them to: Daniel Stevens, Campaign for Accountability, 611 Pennsylvania Ave, S.E. #337, Washington, D.C. 20003.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E. Stevens", with a long horizontal flourish extending to the right.

Daniel E. Stevens  
Executive Director